

Customized FORM PTO-1390
(REV. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

ATTORNEY DOCKET NO.
P07500US00/BAS

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.
(If known, see 37CFR 1.5)
10/031,167

INTERNATIONAL APPLICATION NO.
PCT/FR00/02076

INTERNATIONAL FILING DATE
19 July 2000

PRIORITY DATE CLAIMED
20 July 1999

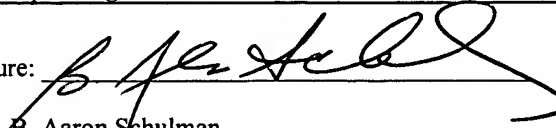
TITLE OF INVENTION: NUCLEIC ACIDS CODING FOR PEPTIDES HAVING THE BIOLOGICAL ACTIVITY...

APPLICANT(S) FOR DO/EO/US: WAHBI et al.

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 - ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
 - ☐ 3. This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
 - ☐ 4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
 - ☐ 5. A **copy** of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ a. is attached hereto (required only if not communicated by the International Bureau).
 - ☐ b. has been communicated by the International Bureau.
 - ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
 - ☐ 6. An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - ☐ a. is attached hereto.
 - ☐ b. has been previously submitted under 35 U.S.C. 154(d)(4).
 - ☐ 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))
 - ☐ a. are attached hereto (required only if not communicated by the International Bureau).
 - ☐ b. have been communicated by the International Bureau.
 - ☐ c. have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ d. have not been made and will not be made.
 - ☐ 8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - ☐ 9. An **oath** or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 - ☐ 10. An English translation of the annexes to the Int'l Pre. Exam. Report under PCT Article 36 (35 USC 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
- ☐ 11. An **Information Disclosure Statement** under 37 C.F.R. 1.97 and 1.98.
 - ☐ 12. An **Assignment** document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 - ☐ 13. A **First preliminary amendment**.
 - ☒ 14. A **Second or Subsequent preliminary amendment** and a **Sequence Listing**.
 - ☐ 15. A **substitute specification**.
 - ☐ 16. A **change of power of attorney and/or address letter**.
 - ☒ 17. A **computer-readable form of the sequence listing** in accordance with PCT Rule 13ter.2 & 35 USC 1.821-825.
 - ☐ 18. A **second copy of the published international application** under 35 USC 154(d)(4).
 - ☐ 19. A **second copy of the English translation of the international application** under 35 USC 154(d)(4).
 - ☒ 20. **Other items or information:**
 - ☒ A copy of the Notification of Defective Response dated July 29, 2002.
- ☒ In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 21(c).

Date: 29 August 2002

U.S. APPLICATION NO. <i>(if known)</i> 10/031,167		INTERNATIONAL APPLICATION NO. PCT/FR00/02076		ATTORNEY DOCKET NO. P07500US00/BAS	
X 21. The following fees are submitted: Basic National Fee (37 CFR 1.492 (a) (1)-(5): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO <input type="checkbox"/> Search Report has been prepared by the EPO or JPO <input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO <input type="checkbox"/> International preliminary examination fee paid to USPTO <input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4) </div> <div style="text-align: right;"> \$1040 \$ 890 \$ 740 \$ 710 \$ 100 </div> </div> <div style="text-align: right; margin-top: 10px;"> ENTER APPROPRIATE BASIC FEE AMOUNT = \$ </div>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130 for furnishing the oath or declaration later than [] 20 mos. from the earliest claimed priority date (37 CFR 1.492(e)). [] 30 mos. +				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	- 20 =		X \$18 =	\$	
Independent Claims	- 03 =		X \$84 =	\$	
Multiple Dependent Claim(s) (if applicable)			+ \$280 =	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				-	\$
SUBTOTAL =				\$	
Processing fee of \$130 for furnishing the English translation later than [] 20 mos. from the earliest claimed priority date (37 CFR 1.492(f)). [] 30 mos. +				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				+	\$
TOTAL FEES ENCLOSED =				\$ -0-	
<i>Amount to be</i>				<i>Refunded</i>	\$
				<i>Charged</i>	\$
X a. A check in the amount of \$ -0- to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. X c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit overpayment to Deposit Account No. 12-0555.					
<i>Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</i>					
SEND ALL CORRESPONDENCE TO: B. Aaron Schulman At the address (below) of CUSTOMER NO. 00881: LARSON & TAYLOR, PLC 1199 NORTH FAIRFAX ST. SUITE 900 ALEXANDRIA, VA 22314			Signature:  Name: B. Aaron Schulman Reg. No.: 31,877 Phone No.: 703-739-4900 Date: 29 August 2002		



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,167	Kamal Wahbi	P07500US00/BAS

00881
LARSON & TAYLOR, PLC
1199 NORTH FAIRFAX STREET
SUITE 900
ALEXANDRIA, VA 22314

INTERNATIONAL APPLICATION NO.	
PCT/FR00/02076	
I.A. FILING DATE	PRIORITY DATE
07/19/2000	07/20/1999

CONFIRMATION NO. 4991

371 FORMALITIES LETTER



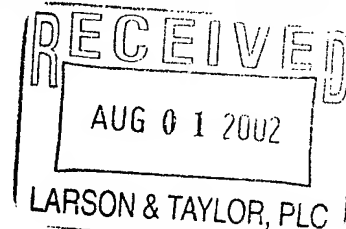
OC000000008531324

Date Mailed: 07/29/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37

CFR 1.821(e).

■ APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,167	PCT/FR00/02076	P07500US00/BAS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent

In re patent application of: WAHBI et al.

Serial No.: 10/031,167

Examiner:

Filed: 29 January 2002

Art Unit:

For: NUCLEIC ACIDS ENCODING PEPTIDES HAVING
THE BIOLOGICAL ACTIVITY...

Docket #: P07300US00/BAS

**RESPONSE TO NOTICE AND
SUBMISSION OF SEQUENCE LISTING**

Honorable Commissioner for Patents
Washington, D.C.

S I R:

In response to the Notice dated July 29, 2002, please amend the above-identified application as follows.

IN THE SEQUENCE LISTING:

After Page 41, please insert the attached Sequence Listing and delete any other sequence listings previously in the application.

REMARKS

In response to the Notice, Applicants now submit the attached Sequence Listing in compliance with the sequence listing regulations. Applicants note that the previously issued Notice of Missing Parts did not include a requirement to submit a sequence listing, and thus this response is timely filed in response to the Notice dated July 29, 2002, and no fees are due.

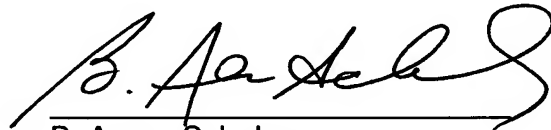
STATEMENT

Applicants state that the enclosed CRF copy of the sequence listing identical to the paper copy provided herewith, and that the paper copy attached hereto adds no new matter to the application.

Applicants submit that the present application is now in compliance with sequence listing regulations, and examination and allowance of the application is thus earnestly solicited.

Respectfully submitted,

Date: August 29, 2002



B. Aaron Schulman
Registration No. 31,877

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